

MINUTES OF REGULAR MEETING  
SUGAR CITY COUNCIL  
THURSDAY, JUNE 29, 2017

Presiding: Mayor David D. Ogden  
Meeting Convened at 6:30 p.m.  
Prayer: Bruce King  
Pledge of Allegiance

Present: Mayor David D. Ogden; Clerk-Treasurer Wendy McLaughlin; Councilmen Bruce King, Bruce Arnell, Matt Garner, and Joe Cherrington; City Public Works Director Zane Baler; Chairman Brent Barrus of the Planning and Zoning Commission; Commissioner Dave Thompson of the Planning and Zoning Commission; City Assistant Attorney Dylan Anderson; and Citizen Jeff Crowther.

Mayor Ogden asked if there were any corrections to the minutes of the regular meeting held on May 25, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Arnell and seconded by Councilman Garner to accept the minutes; motion carried.

Mayor Ogden asked if there were any corrections to the minutes of the special City Council meeting held on June 19, 2017. Each councilman had a copy of the minutes prior to the meeting. It was moved by Councilman Cherrington and seconded by Councilman King to accept the minutes; motion carried.

**RECONCILIATION REPORTS:** Wendy presented the May reconciliation reports for the General Fund. It was moved by Councilman Arnell and seconded by Councilman Garner to accept the May reconciliation reports for the General Fund; motion carried. Wendy presented the May reconciliation reports for the Utility Fund. It was moved by Councilman Arnell and seconded by Councilman Cherrington to accept the May reconciliation reports for the Utility Fund; motion carried.

Wendy presented the current bills in the amount of \$22,805.83. Since the regularly scheduled meeting on Thursday, June 8, 2017, was cancelled due to lack of a quorum, each councilman was queried by email. It was moved by Councilman Garner and seconded by Councilman King to ratify the query to pay the current bills, together with all regular June bills; motion carried.

**PROPOSED AMENDMENT TO RESOLUTION 2017-12 TO APPROVE BOND/CASH AGREEMENT FOR COMPLETION AND WARRANTY ON OLD FARM ESTATES**

**DIVISION #2:** The council amended the agenda to include the proposed amendment to Resolution 2017-12 to provide a bond that covers a one-year warranty on the infrastructure instead a two-year warranty, which is unusual and difficult to procure. The council asked that the infrastructure development be inspected regularly and that the city code be revised to reflect current market procedures on infrastructure bonds.

**RESOLUTION NO. 2017-13 (Amendment to Resolution 2017-12 to warranty a one-year period instead of two years):** Resolution 2017-13 was introduced and read in full. It was moved

by Councilman Cherrington and seconded by Councilman Arnell to approve Resolution No. 2017-13. Thereupon, the clerk called roll upon said motion.

Those voting aye: Councilmen Arnell, Cherrington, Garner, and King  
Those voting nay: None

Thereupon, the mayor declared the motion passed. A copy of said resolution is attached hereto marked "Attachment 1."

**PLANNING AND ZONING COMMISSION REPORT:** Chairman Brent Barrus reported on the following items:

**Impact Area:** Madison County asked that the commission present their plans to expand the impact area south and west of Sugar City along the Salem Highway and the Rexburg North Interchange to the attorneys for the county and Rexburg.

**Proposed Land Use Revisions:** The public work meeting with the council on the proposed land use revisions went well. The commission is ready to finalize its revisions and set a public hearing date.

**Definitions of Patio, Cottage, and Tiny Homes:** Dave Thompson reported on his research into patio, cottage, and tiny homes and what makes developments of them fail or thrive. The term "Smaller-Sized Dwellings" perhaps is best used to describe these types of homes. The market suggests there is a demand for them. These types of homes are smaller in size, are clustered together and share a common area or courtyard – a walking environment with no traffic. Approximately 10 – 12 units seem to be the most successful. After reviewing Thompson's research, the commission will define and recommend conditions for these types of homes to help ensure their success.

**MAYOR'S REPORTS:** Mayor discussed the following items:

**City Employee Picnic:** The picnic was well attended, with about 30 people - employees and families - attending. It should be an annual event.

**AIC Training Meeting:** Six attended the annual AIC training meeting in Boise, including two from Planning and Zoning. Classes were informative and useful. More in depth reports will be given in later meetings.

**Work Meetings:** Planning and Zoning held a work meeting with the council Thursday, June 15, to discuss views and concerns that may exist about the Land Use Schedule Revisions. A budget work meeting is planned for Wednesday, July 12, at 5:30 p.m.

**Showcase Interiors Report:** Owners of Showcase Interiors located in Sugar City's impact area have expressed their intention of hooking onto the sewer line. City Engineer Dick Dyer will give them a cost estimate, and the city will prepare an annexation agreement.

**Sugar/Rexburg Sewer Calibration Report:** Sugar City and Rexburg will meet during a working luncheon Monday, July 10, to discuss reduced revenues to Rexburg, sewer-metering calibrations, and sewer-infrastructure improvements. The sewer study was just recently completed, and the Kmart lift station is not as full as initially expected.

**CARGO CONTAINERS AND OTHER ACCESSORY BUILDINGS:** The council discussed allowing cargo containers as possible storage or accessory buildings. It appears that the city code does not prohibit them. However, the council felt there should be some encouragement to paint them or make them as attractive as possible so as not to detract from the neighborhood.

**2017 SURFACE WATER COALITION (SWC) INTERIM MITIGATION AGREEMENT:**

The council agreed to stay with the water coalition and pay the annual fee, even though this winter and spring have set record precipitation records. Drought conditions have been softened by Mother Nature, and the water call issued in January will probably not be enforced.

**PAY IT FORWARD:** No report.

**DEPARTMENT REPORTS:**

**COUNCILMAN ARNELL:** No report

**COUNCILMAN KING:** Councilman King reported that it is difficult to find citizens who can or want to give of their time to serve on the Tree and Beautification Committee. The mayor has called three couples, but all have rejected the invitation. Those currently serving are looking forward to “passing the baton.”

**COUNCILMAN GARNER:** No report.

**COUNCILMAN CHERRINGTON:** Councilman Cherrington reported that the **Teton Dam Marathon** went well. He had enough volunteers to help man the extra watering stations Sugar City sponsored.

The **Annual Community Breakfast** is scheduled for Saturday, July 22, 2017, from 7 to 10 a.m. Councilman Cherrington asked that state and local leaders be invited in a timely manner so that they could plan to attend. Stone’s will sponsor the breakfast, along with Norsun and Walmart. Deputy Clerk-Treasurer Shelley Jones will be asked to make thank you signs for the sponsors to be posted at the breakfast. The mayor will call citizen Ivan Gerdes to see if he can provide the music again.

Meeting adjourned at 9:30 p.m.

Signed: \_\_\_\_\_  
David D. Ogden, Mayor

Attested: \_\_\_\_\_  
Wendy McLaughlin, Clerk-Treasurer

**The City of Sugar City, Idaho**

**Resolution No.: 2017 - 13**

**"A Resolution to Approve an Amendment to the Agreement to Provide Bond and/or Cash Escrow for Completion of Infrastructure and Warranty of infrastructure Improvements in the Old Farm Estates Subdivision, Division #2."**

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WHEREAS, the Council of the City of Sugar City, Idaho desires to provide infrastructure needs to the Old Farm Estates Subdivision, Division #2, including water, sewer, storm water drainage, street lights and signs, and other necessary infrastructure; and

WHEREAS, Ryan Lerwill and Jeff Lerwill, owners of the Old Farm Estates Subdivision, desire to construct said infrastructure, through the services of an independent contractor, with the intention of turning aforementioned infrastructure over to the City of Sugar City, and;

WHEREAS, Sugar City Code, Section 10-3-9, requires the owners to provide a bond, acceptable to Sugar City, to cover the cost of the infrastructure, along with a bond to cover a two-year warranty on said infrastructure, and alternately security may be provided in the form of cash deposit, cashier's check, or irrevocable bank letter of credit;

WHEREAS, the Council of the City of Sugar City, Idaho approved the original Agreement on May 25<sup>th</sup>, 2017, and now desires to amend said Agreement by reducing the two-year warranty period to a period of one year. This amendment is made because all normal warranty periods for the contractor's materials and labor are at one year, which is an industry norm.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF SUGAR CITY, AS FOLLOWS:

The City Council of the City of Sugar City, Idaho hereby approves the amendment to the Agreement to provide Bond and/or Cash Escrow, and authorizes the Mayor to execute said original agreement with the amended warranty agreement of one year.

PASSED by the Council of the City of Sugar City on this 29<sup>th</sup> day of June, 2017

APPROVED by the Mayor of the City of Sugar City on this 29<sup>th</sup> day of June, 2017.

(SEAL)

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David D. Ogden,  
Mayor

ATTEST:

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Wendy McLaughlin,  
City Clerk - Treasurer